

**MINUTES OF THE
VINEYARD TOWN COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
September 26, 2012**

PRESENT –

Mayor Randy Farnworth
Councilmember Sean Fernandez
Councilmember Jeff Gillespie
Councilmember Norm Holdaway
Councilmember Nathan Riley

ABSENT –

Staff Present: Town Attorney David Church, Town Engineer Don Overson, Town Planner Nathan Crane, Town Clerk/Recorder Debra Cullimore, UCSO Deputy Collin Gordon.

Others Present: Mike Hutchings of Anderson Development, Nate Hutchinson and Tony Train representing Flagship Homes.

The Vineyard Town Council held a Regular Meeting Wednesday, September 26, 2012, beginning at 7:00 p.m. The invocation was offered by Randy Farnworth.

Regular Session – The meeting was called to order at 7:05 p.m.

MINUTES REVIEW AND APPROVAL – The Council reviewed the minutes of the meeting of September 12, 2012

COUNCILMEMBER RILEY MOVED TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 12, 2012. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL - *Planning Commission Liaison Norman Holdaway*

Councilmember Holdaway had no business to forward from the Planning Commission.

STAFF REPORTS –

Planner, Nathan Crane – Mr. Crane reported that he met with Mountainland Association of Governments to discuss growth projections over the next five years. A meeting with Alpine School District is also scheduled to discuss future growth.

Engineer, Don Overson – JUB Engineers – Mr. Overson reported that asphalt is being installed on the RDA Projects Phase 1, the sewer line is being installed in Phase 2, and Phase 3 will go out for bid in the next month.

Councilmember Riley inquired as to the road base used on the roadway in the RDA area. Mr. Overson explained the road construction process and materials used. He clarified that the materials used meet road construction specifications.

Water Operator Technician – Sullivan Love – Mr. Love reported that the annual sanitary survey has been completed. The Town will now be required to complete monitoring every three years rather than annually.

Attorney – David Church – Mr. Church reported that the State Supreme Court will hear arguments regarding the 400 North rail road crossing on Tuesday, October 2nd at 9:00 a.m.

Mr. Church also reported on a letter which was forwarded to the Council from Glen Pettit regarding the Homesteads Reimbursement Agreement. Councilmember Holdaway inquired as to possible foreclosure on the Homesteads development. Mr. Church stated that the bank and the developer are working cooperatively to resolve relevant issues. He noted that the Town is not involved in the foreclosure process. Mike Olsen, representing America First Credit Union, explained that the initial Impact Fee reimbursements have been received. The funds will be used to pay for repairs to existing infrastructure and complete future infrastructure projects. Mr. Olsen felt that it would be agreeable to hold the next reimbursement payment until after October 9th when issues are expected to be resolved.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon suggested that a Utah County Jail inmate work crew complete a roadway clean-up project prior to the winter season. Deputy Gordon will work with Town staff to schedule the project.

Financial Report – Town Treasurer, Nathan Riley – Councilmember Riley had no information to report. Treasurers Reports summarizing finances of the Town will be forwarded to the Council for review.

Town Clerk/Recorder – Ms. Cullimore had no items to report.

BUSINESS ITEMS –

5.1 Discussion and Action - Final Plat – LeCheminant at Vineyard - Flagship Homes. *The Mayor and Council will review and possibly act to approve a request by Flagship Homes for approval of a final subdivision plat for the Lecheminat at Vineyard Subdivision. The proposed subdivision is 128 lots located on the northwest corner of Vineyard Road and Center Street.*

Mr. Crane presented information regarding the proposed final plat for LeCheminant at Vineyard, Phase 1. He noted that landscape drawings are conceptual at this time, but will be finalized prior to issuance of any building permits. Mr. Crane also noted that a stipulation of approval for the preliminary plat was delineation of the wetlands area, shown on the preliminary plat as open space. He explained that the Army Corp of Engineers will require final delineation in spring during high water months. He suggested that the stipulation regarding wetlands delineation be revised to be required prior to approval of Phase 3, or by a certain date. Mr. Crane reviewed stipulations recommended by staff, the Planning Commission, and discussed by the Council during preliminary plat review and approval as follows:

1. The final plat shall conform to the plat dated stamped September 21, 2012 except as modified by these stipulations.
2. Development shall conform to the Sunset Villas development plan date stamped January 4, 2010 and Ordinance 2010-10 as determined by the Town Planner. In addition, prior to issuance of any

construction permits, the applicant shall provide evidence that all stipulations of Ordinance 2010-01 are met.

3. Prior to the issuance of a building permit the wetland delineation shall be completed.
4. Prior to approval of the first building permit, the preliminary landscape plan for the entire subdivision and the final landscape and wall plan shall be approved by the Town Planner. The developer shall be responsible for the right of way landscaping for Center Street. All right of way landscaping shall comply with the Homestead landscape plans.
5. The wetlands area shall not be accepted by the Town until such time as all improvements are completed to the satisfaction of the Town Engineer and Town Planner.
6. The final plat shall be revised to include a typical lot layout and public utility easements on the side and rear lot lines.
7. All house plans shall be reviewed and approved prior to issuance of the first building permit.

Councilmember Riley inquired as to the location of the second access. Mr. Crane explained that a secondary access is required for every 20 homes. The proposed access is located on Gammon Road, and will be a gravel surface road used for emergency access only. Mr. Overson noted that it would be beneficial to use the secondary gravel access as a construction access.

Mr. Crane noted that street trees will be included in the final landscape plan. He stated that proposed trees meet the requirements of the code. He clarified that front yards will also be landscaped.

Councilmember Gillespie inquired as to the street width and whether on-street parking will be permitted. Mr. Crane stated that full width residential streets are proposed, and that on street parking will be permitted.

Councilmember Fernandez asked Mr. Crane if architectural plans for the homes have been reviewed at this time. Mr. Crane stated that architecture has not been reviewed, but will be required to comply with standards outlined in the development agreement. Nate Hutchinson stated that the home will exceed minimum architectural requirements.

Following further discussion, the Council felt that it would be necessary to establish a specific date for delineation of the wetlands area. Mr. Overson stated that June 1, 2013 would be a reasonable completion date. Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE LECHEMINANT AT VINEYARD, PHASE 1, FINAL PLAT AMENDING STIPULATION #3 TO REQUIRE COMPLETION OF WETLANDS DELINIATION ON OR BEFORE JUNE 1, 2013 WITH NO ADDITIONAL BUILDING PERMITS ISSUED AFTER THAT DATE UNTIL THE DELINIATION IS COMPLETED. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

5.2 Discussion and Action- continued - 400 North Memorandum of Agreement - Town of Vineyard and Utah Transit Authority. – *The Mayor and Council will review and possibly act to approve a Memorandum of Agreement between the Town of Vineyard and Utah Transit Authority relative to the 400 North rail road crossing. This item was continued from the September 12, 2012 Town Council Meeting.*

Mr. Church informed the Council that concerns expressed by Anderson Development regarding this agreement have been forwarded to the Utah Transit Authority. He stated that he has not received a response from UTA regarding the concerns, and felt that it would be reasonable to delay approval of the agreement until a response is received and the concerns are addressed. Mr. Church reviewed the intent of the agreement, which specifies the responsibility of UTA to install necessary improvements relative to the Quiet Zone agreement at the 400 North crossing if and when it opens as a public crossing.

Mike Hutchings stated that Anderson Development is requesting additional time to review the agreement to verify that Union Pacific Railroad is not involved in any way. He clarified that Anderson Development has no objection to the Quiet Zone, but that responsibility for future improvements must be properly documented to ensure that UTA is responsible. Mr. Church agreed that a number of entities are involved in this process, and that careful consideration prior to approval would be appropriate.

Councilmember Gillespie observed that it may be appropriate to approve the agreement and authorize the Mayor to sign the associated documents in the event that concerns are resolved without changes to the agreement. Councilmember Fernandez agreed that the Council could move ahead with approval and authorization to sign if no changes are made to the agreement. Mayor Farnworth called for a motion.

COUNCILMEMBER GILLESPIE MOVED TO APPROVE THE 400 NORTH MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF VINEYARD AND THE UTAH TRANSIT AUTHORITY AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT IF NO CHANGES ARE MADE FOLLOWING REVIEW AND DISCUSSION BY INTERESTED PARTIES. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

OPEN SESSION –

Mayor Farnworth called for comments from the audience. There was no public comment

COUNCILMEMBER'S REPORTS –

Councilmember Riley – Councilmember Riley had no items to report.

Councilmember Holdaway – Councilmember Holdaway had no items to report.

Councilmember Gillespie – Councilmember Gillespie reported that tractor repairs have been completed and weed control is under way. Sand has been removed and bark installed in the park playground area. A small amount of sand was retained to create a sand box area somewhere near the playground.

Councilmember Gillespie also reported on a planned Eagle Scout project to install improvements on the baseball field in the park. The improvements would include installation of dirt baselines and possible installation of dugouts if adequate donations are received. Councilmember Fernandez expressed concern regarding use of the park by the youth soccer organization. Councilmember Gillespie stated that the soccer league is no longer using the park facility.

Councilmember Gillespie requested that the Council consider opening 400 South west of Holdaway Road. Mayor Farnworth observed that if the jersey barriers are removed and striping

completed the roadway is usable. Councilmember Riley expressed concern regarding possible safety issues based on the paved road width and increased traffic flow, as well as maintenance concerns. Mr. Overson stated that the existing asphalt is a wide enough to accommodate two travel lanes. Mayor Farnworth noted that a new resident in Sleepy Ridge is an employee of the Orem Fire Department, and that the resident had pointed out that keeping the access closed is a safety concern based on the number of new residences in the area. Following further discussion, the Council felt that this issue should be discussed as an agenda item at the October 10, 2012 Town Council meeting.

Councilmember Fernandez – Councilmember Fernandez reported briefly on Timpanogos Special Service District (TSSD) business, including a pending law suit which names board members as well as the Utah County Commission. Mr. Love inquired as to whether sewer impact fees which have been collected have been paid to TSSD. Following brief discussion, it was determined that sewer impact fees for new construction should be paid to TSSD, but that fees paid by commercial development in Eastlake should not be paid at this time.

MAYOR'S REPORT –

Mayor Farnworth reported that water storage was discussed during staff meeting prior to the Council meeting, and that the time has come for the Town to begin discussion with Orem City and Central Utah Water to create additional storage to accommodate pending development in Vineyard. Mr. Overson clarified that approximately 250 new connections can be approved with existing storage capacity. The Council discussed several options for creating additional storage, including a shared tank with Orem City, additional CUP storage, or an elevated water tank which would be unique to Vineyard and help create the Town identity. This issue will be discussed further at future meetings.

Mayor Farnworth noted that it is necessary for the Council to begin review of utility rates in order to generate adequate revenue to repair and maintain infrastructure in the future. He suggested that the Council begin discussion during the October 10, 2012 Town Council meeting.

ADJOURNMENT –

The meeting was adjourned by consensus at 8:17 p.m. The next regular Town Council Meeting is scheduled for October 10, 2012.

MINUTES APPROVED ON – October 10, 2012

CERTIFIED CORRECT BY _____
DEBRA CULLIMORE, TOWN CLERK/RECORDER